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10/726,268	12/02/2003	Greg Miller	03-40216-US	3359
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GIBBONS P.C. ONE GATEWAY CENTER NEWARK, NJ 07102			EXAMINER FIELDS, DORON D	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

thibbits@gibbonslaw.com
abriggs@gibbonslaw.com
IPDocket@gibbonslaw.com

Office Action Summary	Application No. 10/726,268	Applicant(s) MILLER ET AL.	
	Examiner DORON D. FIELDS	Art Unit 3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003 and 02 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>15 March 2004, 19 June 2006, and 02 April 2008</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Status of Claims

1. This action is in reply to the application filed on 02 December 2003 and response to election/restriction and amendment filed on 02 April 2008.
2. Claim 6 has been amended.
3. Claims 1-5 and 26-31 have been canceled.
4. Claims 6-25 are currently pending and have been examined.

Election/Restrictions

5. Applicant's election of Group II, claims 6-25 in the reply filed on 02 April 2008 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Information Disclosure Statement

6. The Information Disclosure Statements filed on 15 March 2004, 19 June 2006, and 02 April 2008 have been considered. An initialed copy of the Form 1449 is enclosed herewith.

Priority

7. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 120 as follows:

- Applicant has not included the relationship between the applications. See MPEP § 201.11 III A ("...A benefit claim that merely states that "this application claims the benefit of Application No. ---, filed ---" does not comply with 35 U.S.C. 120 and 37 CFR 1.78(a)(2)(i), since the relationship between the applications is not stated...").

8. If applicant desires to claim the benefit of a prior-filed application under 35 U.S.C. 120, a specific reference to the prior-filed application in compliance with 37 CFR 1.78(a) must be included in the first sentence(s) of the specification following the title or in an application data sheet. For benefit claims under 35 U.S.C. 120, 121 or 365(c), the reference must include the relationship (i.e., continuation, divisional, or continuation-in-part) of the applications.

If the instant application is a utility or plant application filed under 35 U.S.C. 111(a) on or after November 29, 2000, the specific reference must be submitted during the pendency of the application and within the later of four months from the actual filing date of the application or sixteen months from the filing date of the prior application. If the application is a utility or plant application which entered the national stage from an international application filed on or after November 29, 2000, after compliance with 35 U.S.C. 371, the specific reference must be submitted during the pendency of the application and within the later of four months from the date on which the national stage commenced under 35 U.S.C. 371(b) or (f) or sixteen months from the filing date of the prior application. See 37 CFR 1.78(a)(2)(ii) and (a)(5)(ii). This time period is not extendable and a failure to submit the reference required by 35 U.S.C. 119(e) and/or 120, where applicable, within this time period is considered a waiver of any benefit of such prior application(s) under 35 U.S.C. 119(e), 120, 121 and 365(c). A benefit claim filed after the required time period may be accepted if it is accompanied by a grantable petition to accept an unintentionally delayed benefit claim under 35 U.S.C. 119(e), 120, 121 and 365(c). The petition must be accompanied by (1) the reference required by 35 U.S.C. 120 or 119(e) and 37 CFR 1.78(a)(2) or (a)(5) to the prior application (unless previously submitted), (2) a surcharge under 37 CFR 1.17(t), and (3) a statement that the entire delay between the date the claim was due under 37 CFR 1.78(a)(2) or (a)(5) and the date the claim was filed was unintentional. The Director may require additional information where there is a question whether the delay was unintentional. The petition should be addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If the reference to the prior application was previously submitted within the time period set forth in 37 CFR 1.78(a), but not in the first sentence(s) of the specification or an application data sheet (ADS) as required by 37 CFR 1.78(a) (e.g., if the reference was submitted in an oath or declaration or the application transmittal letter), and the information concerning the benefit claim was recognized by the Office as shown by its inclusion on the first filing receipt, the petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) are not required. Applicant is still required to submit the reference in compliance with 37 CFR 1.78(a) by filing an amendment to the first sentence(s) of the specification or an ADS. See MPEP § 201.11.

Specification

9. Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

10. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

11. The abstract of the disclosure is objected to because

- it states "A planning system and method is disclosed" (abstract, line 1), which repeats information given in the title ("system and method for a planner") and includes phrases which can be implied ("... is disclosed"). Correction is required. See MPEP § 608.01(b).
- it states "The method may include a receiving a logging onto the application" (abstract, lines 11-12), which is unclear. Correction is required.

Claim Objections

12. Claim 11 objected to because of the following informalities: "distribution internet". Examiner assumes that applicant meant 'distributed internet'.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

13. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

14. Claims 6-25 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

15. Claim 6 recites: "A planning system comprising: at least one business rule ...; a meeting editor ...; and at least one tracker ..." However, a computer implemented system without structure, where the components of the system are disembodied software is indefinite.

Claims 7-25 depend from claim 6 and are similarly deficient.

Appropriate amendment is requested.

16. Claim 6 recites "... wherein the at least one tracker tracks at least one two data items ..." Are one or two data items tracked? For the purpose of examination, examiner assumes that the at least one tracker tracks at least two data items.

Claims 7-25 depend from claim 6 and are similarly deficient.

Appropriate amendment is requested.

17. Claim 17 recites the limitation "the report" in page 5, line 1. There is insufficient antecedent basis for this limitation in the claim.

Claims 18-20 depend from claim 17 and are similarly deficient.

Claim Rejections - 35 USC § 101

18. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 6-25 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 6 recites: "A planning system comprising: at least one business rule ...; a meeting editor ...; and at least one tracker ...;" However, a planning system without structure, where the components of the system are disclosed as encompassing computer software is disembodied software per se, and software per se is non-statutory.

Claims 7-25 depend from claim 6 and are similarly deficient.

Appropriate amendment is required.

Double Patenting

19. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

20. Claims 6-13, 18 and 20 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 3-5, 10, 11, 13, 15, and 16 of copending Application No. 10/949,890 in view of Bingham et al. (US-PAT-NO: US 6,324,517 B1).

This is a provisional obviousness-type double patenting rejection.

The following table shows the claims in application 10/726,268 (current application) that are rejected by corresponding claims in 10/949,890.

Table 1 - Claims Comparison

	<u>10/726,268</u>	<u>10/949,890</u>
Claims:	6, 13	1
	7	3
	8	4
	9	5
	10	10
	11	11
	12	13
	18	15
	20	16

Regarding claims 6 and 13 of this application, the claims are directed toward the same subject matter as claim 1 of application 10/949,890 except for the following:

- Claim 1 of application 10/949,890 cites the limitation “at least one tracker comprising a database having different viewing, entering, and modifying characteristics for each of the users and each of the clients”. This application recites (claim 6) “at least one tracker wherein the at least one tracker tracks at least two data items”. Although the conflicting claims are not identical, they are not patentably distinct from each other because it would have been obvious to one of ordinary

skill in the art at the time of the invention to utilize a database for tracking data (cited in claim 13 of this application). In addition, it would have been obvious to one of ordinary skill in the art at the time of the invention to create user groups of different privileges in order to secure the system's data (protect sensitive data and restrict additions, modifications, or deletions of system data to certain individuals).

- Claim 1 of application 10/949,890 omits tracking "at least one speaker ... and at least one host of the at least one meeting". However, claim 1 recites tracking invitees, respondents, agenda, finances, and venue. Although the conflicting claims are not identical, they are not patentably distinct from each other because it would have been obvious to one of ordinary skill in the art at the time of the invention to consider the speaker and host of a meeting as invitees.
- Claim 6 of this application omits tracing "an agenda of the meeting" but recites tracking invitees, respondents, speaker, host, finances and venue. Although the conflicting claims are not identical, they are not patentably distinct from each other because it would have been obvious to one of ordinary skill in the art at the time of the invention to track a meeting's agenda as current agendas are circulated among the invitees and participants of a meeting and might require version control.
- Claim 6 of this application tracks data based on a priority designation while claim 1 of application 10/949,890 tracks the venue and finances based on geographic territories. Although the conflicting claims are not identical, they are not patentably distinct from each other because it would have been obvious to one of ordinary skill in the art to prioritize a venue and finances of a meeting based on a geographic locations. According to Bingham, column 2, lines 49-58 "One computer implemented method for selecting a meeting facility for hosting a meeting consistent with the present invention comprises a plurality of steps. The steps include: (1) receiving a range of dates, a list of attendees of the meeting, and, an originating location for each of the attendees; (2) calculating an all-inclusive cost for hosting the meeting at each of a plurality of potential meeting facilities based on the specified range of dates and the specified list of attendees; and (3) ranking the plurality of potential meeting facilities based on the calculated all-inclusive costs." In addition, in column 6, lines 3-18: "FIG. 5 is a diagram illustrating the database management

server (DBMS) 500. The purpose of DBMS 500 is to store the data tables used in the calculation of the all-inclusive meeting cost and to store other information about each facility and the meeting planner. The user profile table 510 contains information specific to planners that are registered at application server 400. Origin tables 520 contain location information relating to the origination of attendees. Transportation tables 530 include information necessary in calculating the cost of getting attendees from their origin to their destination cities. Metro table 540 includes information specific to a given metro area, such as typical meal costs, taxi rates, public transportation costs, etc. Property table 550 includes information about meeting facilities used to calculate the all-inclusive meeting cost, as well as the quality, amenity, and meeting room information for each facility.”

- Regarding claims 7-12, 18, and 20, these claims map directly to other claims of application 10/949,890 as set forth above.

Claim Rejections - 35 USC § 102

21. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

22. Claims 6-11, 13-16, 19-22, and 24 rejected under 35 U.S.C. 102(b) as being anticipated by Beckhardt et al. (US-PAT-NO: US 6,085,166 A).

Claim 6:

Beckhardt, as shown, discloses the following limitations:

A planning system comprising:

- *at least one business rule remote from at least one client* (see at least Figure 3 and 4 and corresponding text), *said at least one business rule including a priority designation* (see at least Figure 3 and 4 and corresponding text);

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- *a meeting editor, wherein at least one meeting is generated for the at least one client by the meeting editor in accordance with the at least one business rule (see at least Figure 1 and corresponding text, and column 3, lines 5-8 "Specifically, when a coordinator of an event desires to schedule the event using the system according to an embodiment of the present invention, the coordinator specifies the date, time, duration and selects one or more invitees."); and*
- *at least one tracker communicatively connected to the meeting editor (see at least Figure 1 and corresponding text), wherein the at least one tracker tracks at least one two data items selected from the group consisting of invitees to the at least one meeting (see at least column 3, lines 9-11): "Invitees, as detailed below, may comprise users, resources (such as computer equipment, for example), or rooms, for example.", respondents to invitation to the at least one meeting, at least one speaker of the at least one meeting, at least one host of the at least one meeting, finances of the at least one meeting, and a venue of the at least one meeting (see at least column 3, lines 9-11): "Invitees, as detailed below, may comprise users, resources (such as computer equipment, for example), or rooms, for example.", and wherein the at least one tracker communicates the at least two data items with the meeting editor (see at least Figure 1 and corresponding text),*
- *wherein said priority designation prioritizes at least two of the data items for the at least one meeting when the meeting editor generates the at least one meeting in accordance with the at least one business rule (see at least Figure 3 and 4 and corresponding text).*

Claim 7:

Beckhardt discloses all the limitations of claim 6 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein at least one of the at least one client is at least one selected from the group consisting of at least one system administrator, at least one meeting planner (see at least see column 3, lines 5-8 "Specifically, when a coordinator of an event desires to schedule the event using the system according to an embodiment of the present invention, the coordinator specifies the date, time,*

duration and selects one or more invitees.”), *at least one meeting attendee, at least one speaker, and at least one service supplier.*

Claim 8:

Beckhardt discloses all the limitations of claim 6 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein said meeting editor comprises:*
 - *a meeting set-up module for setting up each meeting* (see at least see column 3, lines 5-8 “Specifically, when a coordinator of an event desires to schedule the event using the system according to an embodiment of the present invention, the coordinator specifies the date, time, duration and selects one or more invitees.”); *and*
 - *a meeting manager for managing each set-up meeting* (see at least column 3, lines 12-15: “The information that is provided is then taken by the system to determine whether that all of the selected invitees are available at the desired date, time, and duration.”).

Claim 9:

Beckhardt discloses all the limitations of claim 8 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein said meeting editor further comprises:*
 - *a fulfillment request form manager* (see at least column 5, lines 32-43: “ The system then compares the list of busy times generated from the user’s availability information to determine whether the user is available or not, in step 106. The process may also consider other potential event times and dates with the busy time file to determine if an alternative time may be proposed. If all invitees can attend, in step 110, the system sends an invitation to the invitees to attend the event, for example, by electronic mail using the address stored for each invitee. The invitees may then either accept the invitation, at which point the system would update their respective calendar files with the new event, or if the invitation is declined, the system notifies the requester.” and column 7, lines 16-20: “When the user has been presented either with a time interval with no conflicting busy

time or a best fit time interval and selects that time interval, the system then generates an invitation to the invitee.”); *and*

- *a reporter* (see at least column 5, lines 32-43: “The system then compares the list of busy times generated from the user’s availability information to determine whether the user is available or not, in step 106. The process may also consider other potential event times and dates with the busy time file to determine if an alternative time may be proposed. If all invitees can attend, in step 110, the system sends an invitation to the invitees to attend the event, for example, by electronic mail using the address stored for each invitee. The invitees may then either accept the invitation, at which point the system would update their respective calendar files with the new event, or if the invitation is declined, the system notifies the requester.” and column 7, lines 16-20: “When the user has been presented either with a time interval with no conflicting busy time or a best fit time interval and selects that time interval, the system then generates an invitation to the invitee.”).

Claim 10:

Beckhardt discloses all the limitations of claim 6 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein the at least one meeting manager comprises at least one selected from the group consisting of an attendance listing manager, an invitee listing manager* (see at least column 4, lines 49-56: “GUI display unit 312 is responsible for presenting views to the user as described above with respect to FIGS. 5-9 and for receiving input from the coordinator regarding the requested event date, time, duration, and invitees.”), *a speaker listing manager, task listing manager, and a security listing manager.*

Claim 11:

Beckhardt discloses all the limitations of claim 6 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein said at least one business rule comprises a distribution internet application architecture (see at least Figure 1 and corresponding text).*

Claim 13:

Beckhardt discloses all the limitations of claim 6 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein said at least one tracker comprises at least one database for each meeting (see at least column 12, lines 31-33: "Within the framework of the C&S architecture, a user's calendar information is stored alongside his or her mail information in a common data store." and column 3, lines 5-58: "... Database 200 may then comprise an up-to-date collection of the availability information from those electronic mail files collected from some or all of the servers 204 on the system ...").*

Claim 14:

Beckhardt discloses all the limitations of claim 13 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein the at least one database comprises at least one data attribute selected from the group consisting of a meeting code for the meeting, and at least one of a meeting date, a meeting time, a meeting type, a meeting status, a meeting number and a client meeting number (see at least column 3, lines 5-58: "... FIG. 1 depicts a system according to an embodiment of the present invention. According to this embodiment, the system of FIG. 1 may comprise one or more databases 200 having stored thereon one or more profiles 202, one or more calendar files 210 and one or more name and addresses files 212 ...").*

Claim 15:

Beckhardt discloses all the limitations of claim 14 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein the at least one database further comprises data attributes of the at least one speaker and the venue, and wherein at least one of the at least one speaker and the venue are relationally linked to at least one of the meeting code and the meeting date (see at least column*

3, lines 5-21: "Specifically, when a coordinator of an event desires to schedule the event using the system according to an embodiment of the present invention, the coordinator specifies the date, time, duration and selects one or more invitees. Invitees, as detailed below, may comprise users, resources (such as computer equipment, for example), or rooms, for example ... Stored with each name and address file is a calendar file and a profile for a plurality of potential invitees.").

Claim 16:

Beckhardt discloses all the limitations of claim 14 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein the venue is relationally stored in the at least one database as one of a pending status and a confirmed status* (see at least column 12, lines 1-7: "Invitees may accept the event invitation, decline the invitation, propose another event time, or delegate a substitute to attend. Accepted events are automatically posted to the user's calendar. This event status information is made available in graphical form to the event coordinator with just the click of a mouse." and column 8, lines 3-7: "Other shading/coloring or other graphical indications may be used in the boxes listing the individual names and/or graphical time bar to indicate "Free Time," "Busy Time," "OK," "Conflict," or "Other" status indicators.").

Claim 19:

Beckhardt discloses all the limitations of claims 17 and 18 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein the report comprises a spreadsheet format* (see at least Figures 5-9; display includes rows and columns).

Claim 20:

Beckhardt discloses all the limitations of claim 17 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein the report comprises at least one selected from the group consisting of an invitation report of invitees to the meeting, a projected attendee report of acceptors of invitations to the*

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meeting, a status summary report, a results report, a hyperlink report may include, or provide a link to, an attendance roster which might also include the session code, the date and time of the meeting, the location, the host, and a cumulative report.

Claim 21:

Beckhardt discloses all the limitations of claim 6 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *further comprising a finance tracker* (see at least column 11, lines 51-54: "There is also integration with desktop applications. For example, if an upcoming event requires review of a proposed budget, a linked spreadsheet is available for review with the click of a mouse directly from any Organizer entry.").

Claim 22:

Beckhardt discloses all the limitations of claim 21 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein said finance tracker tracks expenses relating to at least one of the at least one meeting* (see at least column 11, lines 51-54: "There is also integration with desktop applications. For example, if an upcoming event requires review of a proposed budget, a linked spreadsheet is available for review with the click of a mouse directly from any Organizer entry.").

Claim 24:

Beckhardt discloses all the limitations of claim 6 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein said tracker comprises a contacts database* (see at least column 3, lines 5-58: "Name and addresses files 212 may comprise a list all of the names and electronic mail addresses for a plurality or all of the users on an electronic calendar system. A name and address file may be created for each invitee. For example, conference rooms, equipment, and other resources may be included as invitees.").

Claim Rejections - 35 USC § 103

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. Claims 12, 17-18, 23, and 25 rejected under 35 U.S.C. 103(a) as being unpatentable over Beckhardt et al. (US-PAT-NO: US 6,085,166 A).

Claim 12:

Beckhardt discloses all the limitations of claim 6 as shown above. Beckhardt does not disclose the following limitations:

- *wherein said meeting editor comprises at least one dynamic link library and at least one html template.*

Beckhardt discloses a web server and browser and Windows platform (see at least column 4, lines 50-51: "GUI display unit 312 may A comprise a web browser, for example." and column 11, lines 9-12: "Also, Web server and browser technology that allows users to access calendar information across the Internet is incorporated in the present invention." and column 11, lines 24-28: "The invention has full feature/function parity for all major GUI client platforms, including Windows.RTM. 3.1, Windows 95, Windows NT, OS/2, Macintosh.RTM., and UNIX.RTM.. All major server platforms are similarly supported.").

Official Notice is taken that using DLLs to store commonly used subroutines and HTML templates are old and well known in the art of programming in a windows environment utilizing web technologies. It would have been obvious to one of ordinary skill in the art at the time of the invention to use a dynamic link library and HTML templates as they are the predominant, readily available development tools.

Claim 17:

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Beckhardt discloses all the limitations of claim 6 as shown above. Beckhardt does not disclose the following limitations:

- *wherein the report is at least one of a two day report, a five day report, a seven day report, a monthly report, and a weekly report.*

Beckhardt discloses use of calendar schedule programs (see at least column 9, lines 1-53: "While various calendar schedule programs may be used with various e-mail programs, a preferred embodiment uses the Lotus Organizer calendar/schedule program with Lotus Notes or cc: Mail messaging program and a Lotus Domino server. The invention is not so limited... Once an invitee accepts a event invitation, their Organizer calendars are automatically updated as well as the coordinator's calendar. This enables coordinators to be able to check to see who can make it, who can't, and who's sending an alternate attendee.")

Official notice is taken that calendaring systems display (report) day/week/month appointments/meetings. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the calendar schedule programs of Beckhardt to display reports concerning upcoming events within a selected timeframe as it allows for better management (preparation, tracking, etc) of events and resources (people, venues, financials, etc.).

Claim 18:

Beckhardt discloses all the limitations of claim 17 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein the report includes at least two selected from the group consisting of at least two meetings scheduled, attendance rosters for each of the at least two meetings scheduled, and financial status for each of the at least two meetings scheduled* (see at least column 9, lines 1-53: "While various calendar schedule programs may be used with various e-mail programs, a preferred embodiment uses the Lotus Organizer calendar/schedule program with Lotus Notes or cc: Mail messaging program and a Lotus Domino server. The invention is not so limited... Once an invitee accepts a event invitation, their Organizer calendars are automatically updated as well as the coordinator's calendar. This enables coordinators to be able to check to see who can

make it, who can't, and who's sending an alternate attendee." and column 11, lines 51-54: "There is also integration with desktop applications. For example, if an upcoming event requires review of a proposed budget, a linked spreadsheet is available for review with the click of a mouse directly from any Organizer entry.").

Claim 23:

Beckhardt discloses all the limitations of claim 22 as shown above. Beckhardt does not disclose the following limitations:

- *wherein said finance tracker tracks a type of each expense, a status of each expense, and estimated amount of each expense, and an actual amount of each expense.*

Beckhardt discloses finances tracking (see at least column 11, lines 51-54: "There is also integration with desktop applications. For example, if an upcoming event requires review of a proposed budget, a linked spreadsheet is available for review with the click of a mouse directly from any Organizer entry.")

Official Notice is taken that tracking a type, status, estimated amount, and actual amount for each expense is old and well known to those of ordinary skill in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a type, status, estimated amount, and actual amount for each expense in the budget spreadsheet disclosed by Beckhardt in order to accurately capture the finances associated with a planned event.

Claim 25:

Beckhardt discloses all the limitations of claim 24 as shown above. Furthermore, Beckhardt, as shown, discloses the following limitations:

- *wherein the contacts database comprises a name, address, (see at least Figure 1 and corresponding text and column 1, lines 60-64: "It is another object of the invention to provide an electronic calendar with group scheduling that may automatically coordinate scheduling of invitees, where the invitees name/address (or equivalent information) resides on multiple servers.") and ~~phone number~~ of at least one of an invitee, an attendee, a speaker, a host, a venue, a moderator, and an audio-visual supplier for at least one of the at least one meeting.*

Beckhardt does not disclose the following limitations:

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- *wherein the contacts database comprises ... and phone number ...*

Official Notice is taken that including a phone number in a contacts database is old and well known to those of ordinary skill in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to include a telephone number in either the "name and address" or "user profiles" files of Beckhardt as having access to a phone number is an easy and quick method of contacting a meeting invitee or attendee.

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
- Breitenbach et al. (PGPUB-NO: US 2002/0016729 A1) discloses a system and method for scheduling events and associated products and services.
 - Jameson et al. (PGPUB-NO: US 2002/0156787 A1) discloses an Internet-based system and method for planning and managing an event;
 - Nguyen et al. (PGPUB-NO: US 2005/0209914 A1) discloses a system and method for event marketing management. Furthermore, reports are provided about event participants, revenue, etc. A plurality of events can be grouped under a single event. The report generated for the user and/or participant may include information pertaining to budgets, expenses, revenues, travel, accommodations, participant information, event details, attendance details, sub-organization, cross-events, profiling, scheduling, registration, change between data conveyed on specified dates or times (delta reporting), etc. The report may be generated according to a schedule. Further, the report can be generated utilizing a canned report or ad hoc;
 - Tromczynski et al (PGPUB-NI: US 2006/0010023 A1) discloses systems, methods and computer program products for planning meetings or conferences.

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Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Doron D. Fields** whose telephone number is **571.270.3107**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **BETH VAN DOREN** can be reached at **571.272.6737**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

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/Doron D Fields/Examiner, Art Unit 3623
09 July 2008

/Beth Van Doren/
Supervisory Patent Examiner, Art Unit 3623